

CRITERIA WORKSHEET & APPLICATION SUMMARY

Note: This exhibit does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

Type of request:

Setback Variance on .366 acre lot in Eastman Acres

Description of application:

A request by Terry Cummings for a variance to allow a 43-foot setback from the centerline of the road in lieu of the 60-foot setback from the centerline of the road that is required for structures in the Suburban Residential zone. The property is located at 1045 Juliene Way, Moscow, Idaho, in Section 13 & 24, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP01630005014A.

Applicable Code:

Section 7.02.02 Variance Criteria

A variance may be granted if the Zoning Commission finds that the proposed variance meets each of the following criteria:

1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

If the Zoning Commission finds that a variance is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: .366
acres
Soils: Latahco-Lovell silt loams, 0 to 3 percent slopes
(Latah County Soil Survey Sheet #27)
Floodplain: Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Suburban Residential (Eastman Acres)
Existing Uses: Residential
Neighboring Zoning: Suburban Residential, Agriculture Forest
Neighboring Uses: Public Right of Way, Residential, Vacant Land

Infrastructure/Services:

Water: North Tomer Butte Water & Sewer
Sewer: North Tomer Butte Water & Sewer
Access: 1045 Juliene Way
Schools: Moscow School District
Fire Protection: Moscow Rural Fire District
Law Enforcement: Latah County Sheriff

APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:

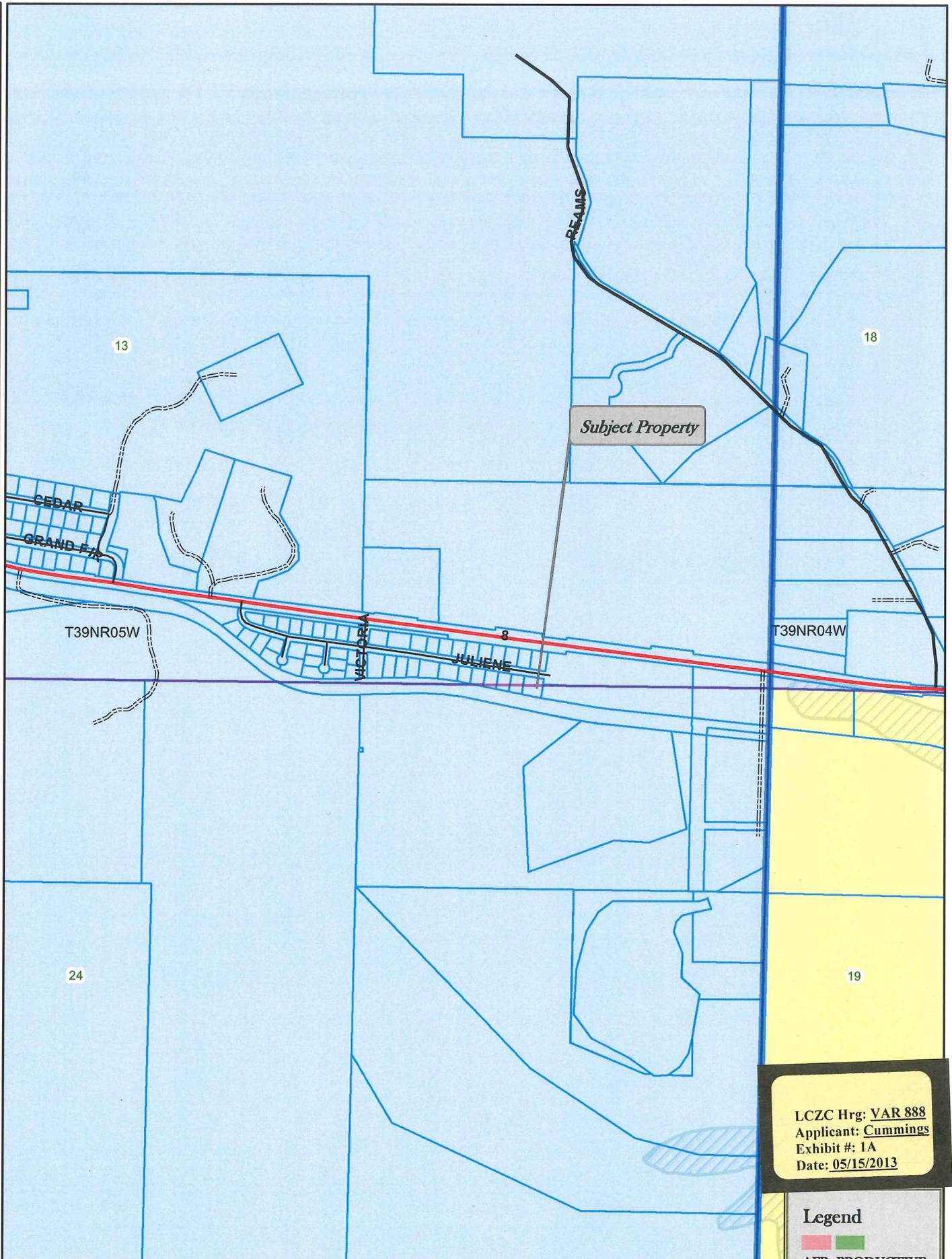
Local Planning Act: Idaho Code 67-6512

Latah County Land Use Ordinance # 269, as amended:

Section 3.03 Suburban Residential
Article 7 Variances

Latah County Comprehensive Plan

VAR #888 Cummings Setback Variance



LCZC Hrg: VAR 888
 Applicant: Cummings
 Exhibit #: 1A
 Date: 05/15/2013

Legend

- AFR PRODUCTIVE
- AOI RURAL
- ICR

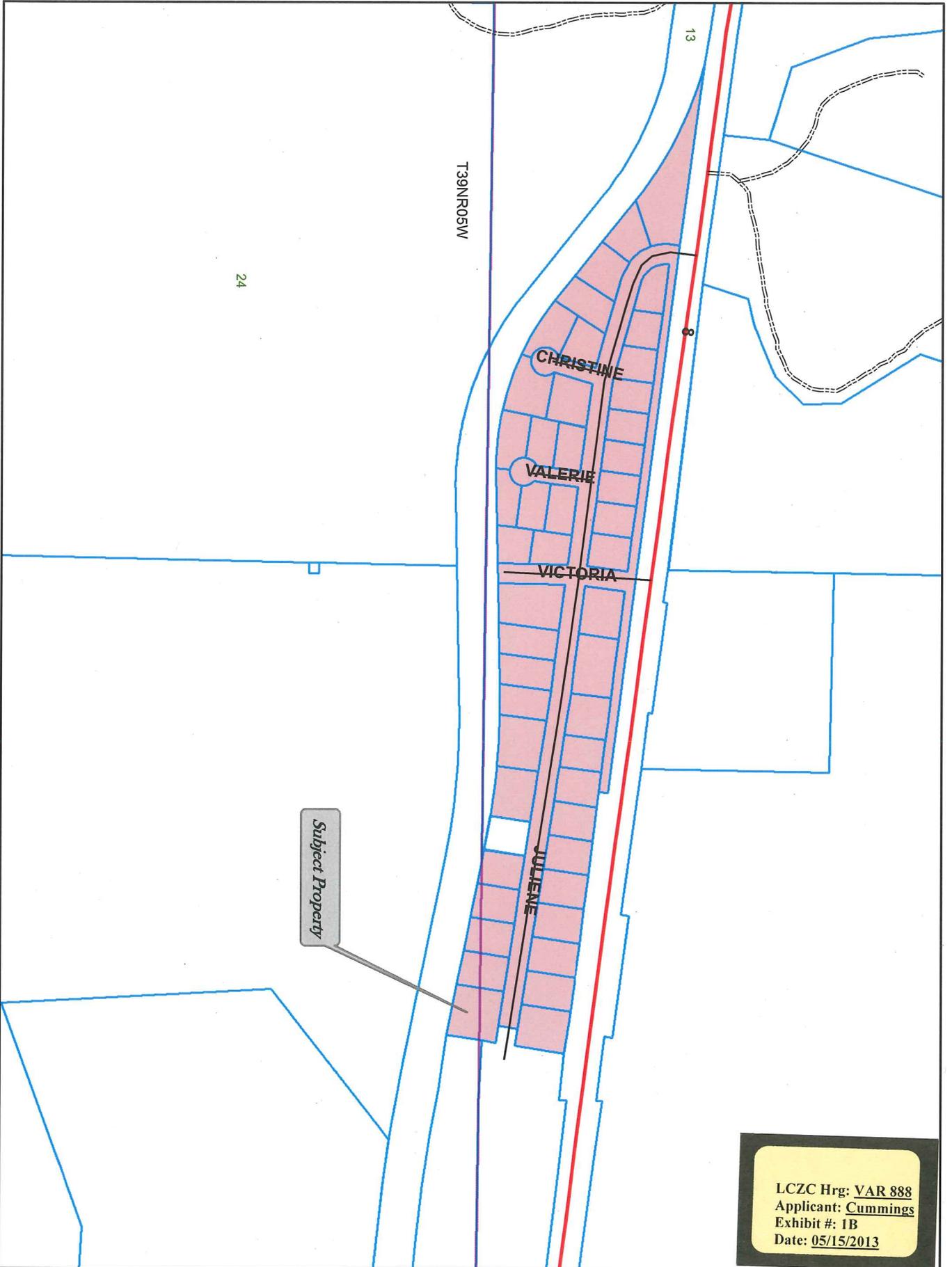
NOTE: This Document is a representation only.
 Latah County bears no responsibility for errors or omissions.



*Created on 1/29/2013 by JB



VAR #888 Cummings Zoning Map



LCZC Hrg: VAR 888
Applicant: Cummings
Exhibit #: 1B
Date: 05/15/2013

NOTE: This Document is a representation only.

Latah County bears no responsibility for errors or omissions.

*Created on 5/07/2013 by JB

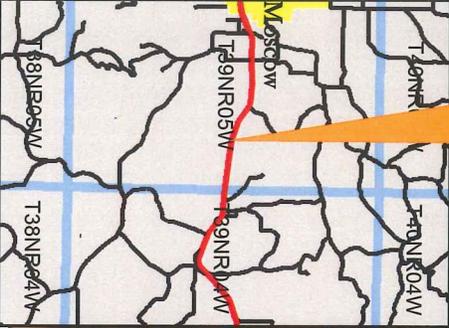
0 162.5 325 650 Feet



- Legend**
-  Agriculture / Forest Industrial
 -  Motor Business Municipality
 -  Multiple Family Residential
 -  Single-Family Residential Suburban Residential
 -  Single-Family Residential (R1)
 -  Single-Family Residential Rural Residential
 -  Areas of City Impact



VAR #888 Cummings Setback Variance



Subject Property



JULIENE

LCZC Hrg: VAR 888
Applicant: Cummings
Exhibit #: 1C
Date: 05/15/2013

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*Created on 1/29/2013 by JB

Legend



Parcels



Floodplain





Application for Variance

Instructions

Please complete the application and required attachments. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete. Please type or print plainly with dark ink.

Please submit to: **Latah County Department of Planning & Building**

Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID, 83843 (208) 883-7220

1. Applicant Information

a. Applicant Name TERRY CUMMINGS	b. Home Phone 208-596-9731	c. Work Phone	
d. Mailing Address 1045 JULIENE WAY	e. City MOSCOW	f. State TO	g. Zip code 83843
h. Property Owner (if different than applicant)	i. Home Phone	j. Work Phone	
k. Mailing Address	l. City	m. State	n. Zip code

2. General Site Information

a. Assessor's Parcel Number(s)	b. Site Address (if applicable)		
c. Road Used to Access Site	d. Floodplain designation(s)	e. FEMA Panel #	
f. Existing Uses			

Note: Sites within an Area of City Impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

3. Service Provider Information (please attach additional information if requested)

a. Source of Potable Water (i.e. city, private well, water district) NORTH TOMER BUTTE WATER	b. Sewage Disposal (i.e. city, sewer district or private septic system) SEWER DISTRICT
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4. Adjacent Properties Information

a. Zoning of Adjacent Properties	b. Existing Uses of Adjacent Properties RESIDENTIAL
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5. Variance Information

Please indicate the section(s) of the Zoning Code for which the variance is sought and explain the circumstances that require the variance. Section 7.02 of the Latah County Land Use Ordinance states a variance shall only be used to modify setbacks, building height, yard or frontage requirements, and parking requirements on a lot or parcel of land prescribed by this ordinance.

GOING FROM A SINGLE WIDE TO A DOUBLE WIDE. DOUBLE WIDE WOULD BE 30' FROM EDGE OF ROAD, 50' FROM CENTER.

6. Authorization

The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.

a. Signature of Applicant Terry Cummings	b. Date 05-03-13
c. Signature of Property Owner (if different than applicant)	d. Date

7. Attachments

All attachments should be reproducible in black and white at 8½" x 11"

Fee: (\$150.00) Make checks payable to Latah County.

Completed Narrative Worksheet: See instructions on the Rezone Narrative Worksheet.

Site Plan: The site plan should include a north arrow, location of roads and rights-of-way, and existing buildings; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Planning and Zoning Commission or Board of Adjustment to make a decision.

Vicinity Map: The map should show the site location in relation to the City of Moscow, outlying neighborhoods, highways and roads, and natural features.

Other Attachments: The Zoning Commission shall have the authority to require any additional information if it feels is necessary to make a fair recommendation on a rezoning request.

Office Use Only

Date Received by County 5/3/13	Fee Amount 150	Receipt No. 993421	By JB
VAR # 089	Date Determined Technically Complete		By

Hearing Date
5/15/13



Variance Narrative Worksheet

Application Information

Applicant's Name

TERRY & HELENE CUMMINGS

Phone Number

208-596-9731

Purpose: To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance

Instructions: Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

WISH TO PUT A 28' X 66' DOUBLEWIDE WHERE A 14' X 70' SINGLEWIDE CURRENTLY SITS. LATAH CO SAYS YOU NEED A VARIANCE IF YOU PUT A Bigger TRAILER IN. TRAILER WOULD SET IN THE SAME SPOT. DOES NOT MEET THE NEW 60' FRONTAGE REQUIREMENT. BUT CANT MOVE THE TRAILER BACK FURTHER DUE TO THE GAS LINE EASEMENT.

Existing Uses of Property

Please describe what uses, structures and features currently occupy the property.

CURRENTLY RESIDENTIAL PROPERTY W/ A 14' X 70' SINGLE WIDE TRAILER ON IT. IT ALSO HAS A 30' X 40' GARAGE/SHOP. AND A 4 BAY BLDG FOR EQUIPMENT. APPROX 16' X 40'. THERE IS A BLACKTOP CIRCLE DRIVE WAY BEHIND MY TRAILER. A 6" HIGH PRESSURE GAS PIPELINE IS BURIED DIRECTLY UNDER MY BLACKTOP DRIVEWAY

Relevant Criteria and Standards

Please respond to each of the criteria listed in Section 7.02.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.

THE DOUBLEWIDE WILL SET RIGHT WHERE THE SINGLEWIDE SITS NOW. I CANT GO BACK ANY FURTHER BECAUSE OF THE GAS LINE EASEMENT THRU THE CENTER OF MY PROPERTY. THERE WILL STILL BE ABOUT 31' TO THE EDGE OF THE ROAD. AND EVEN IF I PUT AN 8' X 10' FT FRONT PORCH ON THERE WILL BE ABOUT 23' TO THE EDGE OF THE ROAD OR 43' TO THE CENTER OF THE ROAD.

Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use of the property due to the parcel's peculiar physical characteristics.

IT IS IN COMPLIANCE W/ ALL SETBACKS OTHER THAN THE 60' FROM CENTER OF ROAD FRONTAGE REQUIREMENT. BECAUSE OF THE GAS LINE EASEMENT THRU THE CENTER OF PROPLES PROPERTY, NOBODYS HOUSE MEETS THE 60' FRONTAGE REQUIREMENT IN EASTMAN ACRES.

LATAH COUNTY BUILDING PLOT PLAN

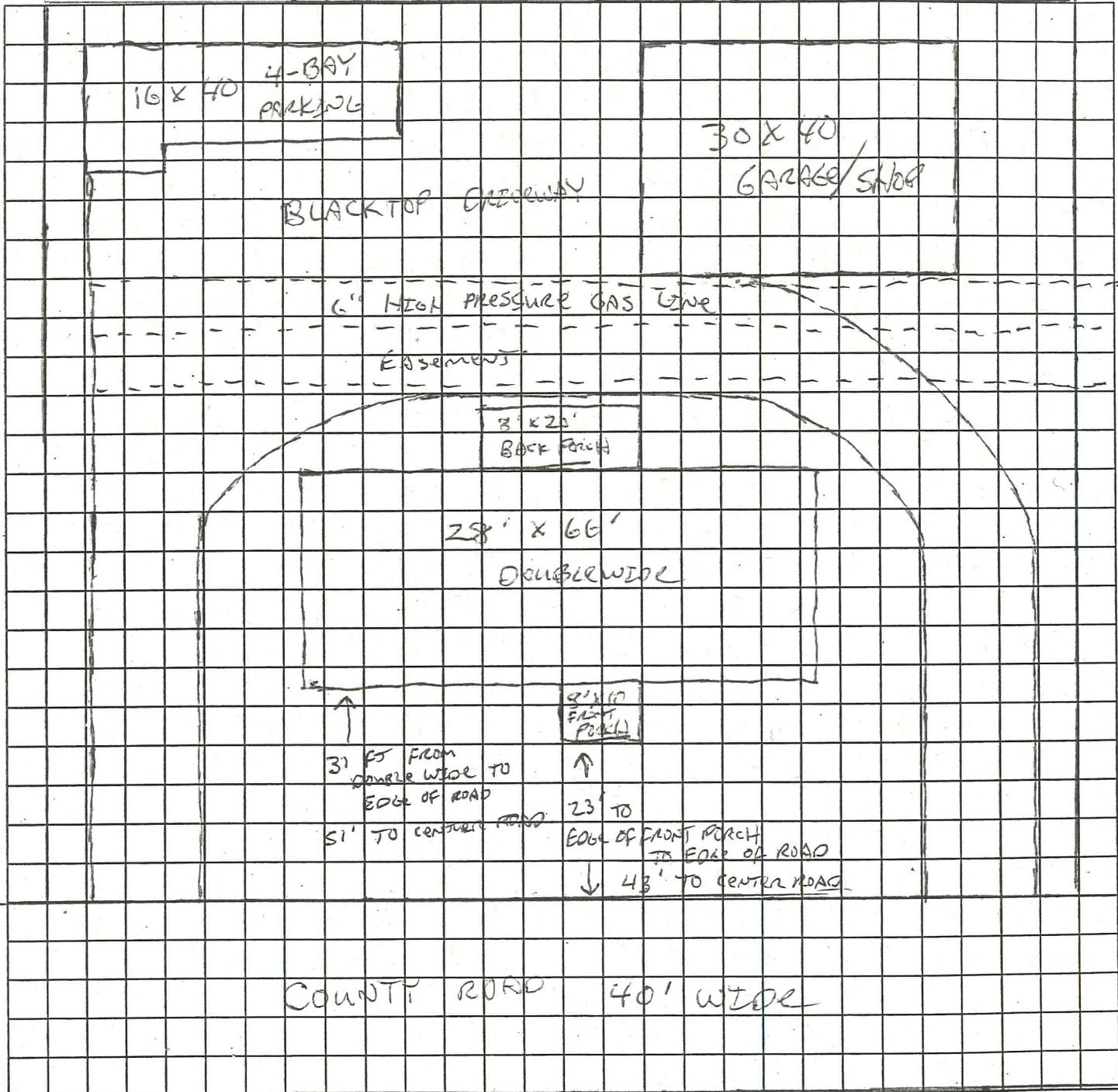
ADDRESS: 1045 JULIENE WAY MOSCOW TOTAL ACREAGE OF PARCEL: _____

ASSESSOR'S PARCEL#: Township: _____ Range: _____ Section: _____ Parcel: _____

INSTRUCTIONS TO APPLICANT

FOR A NEW LATAH COUNTY BUILDING PERMIT, PROVIDE THE FOLLOWING INFORMATION IN THE SPACE BELOW: LOCATION OF PROPOSED CONSTRUCTION AND EXISTING IMPROVEMENTS. SHOW BUILDING SITE, AND SETBACK DIMENSIONS FROM PUBLIC RIGHT OF WAY AND FROM PROPERTY LINES. SHOW EASEMENTS. SHOW LOCATION OF WATER, SEWER OR DRAINFIELD. SPECIFY THE USE OF EACH BUILDING. INDICATE NORTH ARROW ON GRAPH, AND SCALE IF APPLICABLE.

MY PROPERTY 130' X 130'



I/We certify that the proposed construction will conform to the dimensions and uses shown and that no changes will be made without first obtaining approval.

OWNER: <u>Jerry Cummings</u>	Date: <u>05-05-13</u>	BUILDER: _____	Date: LCZC Hrg: VAR 888 Applicant: Cummings Exhibit #: 2A Date: 05/15/2013
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VAR #888 – Staff Introduction

A request by Terry Cummings for a variance to allow a 43-foot setback from the centerline of the road in lieu of the 60-foot setback from the centerline of the road that is required for structures in the Suburban Residential zone. The property is located at 1045 Juliene Way, Moscow, Idaho, in Section 13 & 24, Township 39 North, Range 05 West, B.M., in Latah County and referenced as Assessor's Parcel Number RP01630005014A.

1. Section 7.02.01 requires that an application for a variance shall be made by the owner of the affected property

The application was signed and submitted by the property owner Terry Cummings, to the Planning and Building Department on May 3, 2013.

2. Section 3.03.03 of the Latah County Land Use Ordinance requires that all structures shall be a minimum of 20 feet from the boundaries of any public right-of-way or 60 feet from the center line of any road placed within the boundaries of a public right-of-way, whichever is greater.

3. Section 7.02.02 states that the Zoning Commission may grant a variance if the Commission finds that the proposed variance meets each of the following criteria:

1. The variance will not be detrimental to the public interest or other property in the vicinity of the proposed variance.
2. Compliance with setbacks, building height, yard or frontage requirements, and parking requirements prescribed would deny the property owner an otherwise permitted use on the property due to the parcel's peculiar physical characteristics.

The Zoning Commission may also approve applications not meeting the criteria listed above if the Commission finds that the variance is essential to the public health, safety, or welfare.

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

EXHIBITS:

- Exhibit #1** : Criteria Worksheet Application Summary
- Exhibit #1A** : Latah County Comprehensive Plan and Vicinity Map
- Exhibit #1B** : Zoning Map
- Exhibit #1C** : Aerial Photograph and Adjacent Property Owners Map
- Exhibit #2** : Application Form (Submitted by Applicant)
- Exhibit #2A** : Site Plan (Submitted by Applicant)
- Exhibit #3** : Staff Introduction for Latah County Zoning Commission hearing on May 15, 2013.

That is all staff has unless the Commission has questions.